

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

SHARKEEN KING,

Petitioner

v.

TREVOR A. WINGARD;
THE ATTORNEY GENERAL OF THE STATE
OF PENNSYLVANIA; and
THE DISTRICT ATTORNEY OF
PHILADELPHIA COUNTY,

Respondents

No. 2:16-cv-02185

ORDER

On May 17, 2016, the Court referred Sharkeen King's petition for a writ of habeas corpus to United States Magistrate Judge Timothy R. Rice for a report and recommendation. On May 16, 2017, Judge Rice issued a report and recommendation that King's petition be denied with prejudice, on the ground that each of his claims lacks merit (with the exception of his claim that the mandatory minimum sentences he received were not constitutionally imposed and his claim that his trial counsel provided ineffective assistance, both of which Judge Rice found to be procedurally defaulted and, in any event, meritless). Thirty-four days have passed, and no objections have been filed.¹

This 19th day of June, 2017, having reviewed the Report and Recommendation, ECF No. 21,² it is **ORDERED** as follows:

1. The Report and Recommendation is **ADOPTED**.
2. King's petition for a writ of habeas corpus is **DENIED** with prejudice.

¹ See 28 U.S.C. § 636(b)(1) (providing that a party who wishes to object to a magistrate judge's report and recommendation must file written objections within "fourteen days after being served with a copy"); Fed. R. Civ. P. 5(b)(2) (providing that when service is made by mail, service is complete upon mailing); Fed. R. Civ. P. 6(d) (providing that when a party must act within a specified time after being served and service is made by mail, three days are added to the deadline).

² See *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) ("While [§ 636] may not require, in the absence of objections, the district court to review the magistrate's report before accepting it, we believe that the better practice is for the district judge to afford some level of review to dispositive legal issues raised by the report." (citation omitted)).

3. The Clerk of Court shall close this case.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge